

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
JOSHUA ADAM SCHULTE,

Plaintiff,

-v.-

BUREAU OF PRISONS et al.,

Defendants
:
-----X

ORDER PURSUANT TO
RULE 16(b)(1)(A)

20 Civ. 2795 (PGG) (GWG)

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE

If defendants seek to stay discovery pending the disposition of their motion to dismiss, they shall file a letter on or before October 11, 2021, addressed to the undersigned containing their arguments for a stay. The letter may incorporate by reference documents previously filed. Any opposition to that motion shall be filed by November 11, 2021. Any reply shall be filed within one week of the filing of the opposition.

If defendants do not intend to seek a stay, the attorney for defendants is directed to contact plaintiff by October 11, 2021, by telephone for purposes of creating a discovery plan. See Fed. R. Civ. P. 26(f). The plan should contain the following elements:

1. A deadline by which all documents requests and initial interrogatories must be served.
2. The deadline by which defendants shall respond to the Standard Discovery in Prisoner Pro Se Actions pursuant to Local Civil Rule 33.2, to the extent applicable.
3. The deadline for the disclosures of the identities and reports of experts, if any, as required by Rule 26(a)(2)(A) and (B).
4. The deadline for the disclosure of identities and reports of any expert intended by an opposing party solely to rebut previously-disclosed expert evidence.
5. A date by which all discovery must be completed.

The parties are free to include additional elements in the plan if they wish. Also, the parties are encouraged to discuss settlement during the telephone conference. If both parties wish the Court

to conduct a settlement conference or if a telephone conference is needed for any purpose, they may so request in the discovery plan. Counsel for defendants is responsible for filing the plan with the Court on or before October 25, 2021. If the parties disagree over the terms of the plan, the disagreement may be noted in the plan itself. In the alternative, plaintiff may respond by sending a letter to the Court within 21 days of the filing of the plan. Following receipt of any proposed plan, the Court will issue a scheduling order.

Finally, the Court notes that each party must immediately inform the Court of any change in that party's address or telephone number in the future. If a party fails to do so, the case may be dismissed or a default entered.

Please be aware that the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 230, New York, New York ((212) 805-0175) may be of assistance in connection with court procedures.

Dated: New York, New York
October 4, 2021

SO ORDERED:



GABRIEL W. CORENSTEIN
United States Magistrate Judge

Copy Mailed to:

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New York, NY 10007